

**MINUTES OF THE  
EDUCATION INTERIM COMMITTEE**

Wednesday, October 19, 2011 – 9:00 a.m. – Room 445 State Capitol

**Members Present:**

Sen. Howard A. Stephenson, Senate Chair  
Rep. Bill Wright, House Chair  
Sen. Lyle W. Hillyard  
Sen. Karen W. Morgan  
Sen. Wayne L. Niederhauser  
Sen. Aaron Osmond  
Sen. Jerry W. Stevenson  
Sen. Daniel W. Thatcher  
Rep. Johnny Anderson  
Rep. Patrice M. Arent  
Rep. LaVar Christensen  
Rep. Steven Eliason  
Rep. Gregory H. Hughes  
Rep. Kay L. McIff

Rep. Carol Spackman Moss  
Rep. Merlynn T. Newbold  
Rep. Jim Nielson  
Rep. Val L. Peterson  
Rep. Marie H. Poulson  
Rep. Kenneth W. Sumsion

**Members Absent:**

Rep. John G. Mathis

**Staff Present:**

Ms. Allison M. Nicholson, Policy Analyst  
Ms. Constance C. Steffen, Policy Analyst  
Ms. Angela Oakes Stallings, Associate General Counsel  
Ms. Debra Hale, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Wright called the meeting to order at 9:20 a.m. Rep. Mathis was excused from the meeting.

**MOTION:** Sen. Thatcher moved to approve the minutes of the September 21, 2011 meeting. The motion passed unanimously. Sen. Hillyard, Sen. Stevenson, Rep. Hughes, Rep. Peterson, and Rep. Sumsion were absent for the vote.

**2. Report: "Raising Student Achievement by 3rd Grade, the Success of Montgomery County Public Schools (MD) and Florida Public Schools"**

Ms. Janis Dubno, Early Childhood and Education Senior Policy Analyst, Voices for Utah Children, gave a presentation on a report analyzing actions taken by Montgomery County, Maryland and the state of Florida to successfully raise student achievement by third grade. She distributed a copy of her presentation, "Raising Student Achievement by 3rd Grade, The Success of Montgomery County Public Schools (MD) and Florida Public Schools." Ms. Dubno explained that Montgomery County, Maryland and the state of Florida implemented numerous education reforms to successfully increase student achievement, including voluntary preschool, extended day kindergarten, reduced class size, professional development, use of data to improve instruction, a school grading system, and a third grade retention policy.

**3. Public Educator Evaluations**

Dr. Sydnee Dickson, Director of Teaching and Learning, Utah State Office of Education, distributed a document, "Utah Educator Effectiveness Project," which describes a project of the Utah State Board of Education (USBE) to improve instruction and educational outcomes of students. A component of that

project is a new rule requiring school districts to create evaluation systems for educators. Dr. Dickson distributed to committee members a copy of the rule, "R277-531. Public Educator Evaluation Requirements (PEER)." She stated that the USBE is organizing an effort to develop a model evaluation system that involves numerous work groups, national experts, and an examination of existing school district evaluation systems.

Dr. Dickson expressed that an annual educator evaluation model must include valid and reliable measurement tools such as observations of instructional quality, evidence of student growth, and parent and student input. She stated that a school district's educator evaluation system, including measurements of student growth, must be fully implemented by the 2014-15 school year.

#### **4. Draft Bill, "Tax Credits for Private School Scholarships"**

Sen. Stephenson discussed a proposal to allow tax credits for donations made to a scholarship organization to be used for scholarships for a qualifying student to attend a private school. An outline of the proposal was included in the mailing packet sent to committee members. Sen. Stephenson explained that the scholarships are targeted to students who are not achieving in public school.

#### **5. Draft Bill, "College and Career Readiness Assessment"**

Sen. Stephenson explained that in a previous committee meeting Sen. Margaret Dayton presented 2012 General Session draft legislation, "College and Career Readiness Assessment" (2012FL-0043/008), which requires school districts and charter schools to administer college and career readiness assessments adopted by the USBE. He reviewed the draft bill and discussed a proposed modification to allow the USBE to authorize the use of the Armed Services Vocational Aptitude Battery test as a college and career readiness assessment.

**MOTION:** Sen. Stephenson moved to amend 2012 General Session draft legislation, "College and Career Readiness Assessment" (2012FL-0043/008), as follows:

- Page 1, line 15: Delete "including" and after "Education" insert "that may include"
- Page 1, line 16: After "admission" insert "or the Armed Services Vocational Aptitude Battery test"
- Page 7, line 200: After "students that," insert "may"
- Page 7, line 218: Delete "and" and insert "(b) the Armed Services Vocational Aptitude Battery test; and"
- Page 8, line 219: Delete "(b)" and insert "(c)"

The motion passed unanimously, with Sen. Hillyard, Sen. Niederhauser, Sen. Stevenson, Rep. Anderson, and Rep. Sumsion absent for the vote.

Supt. Larry Shumway, State Superintendent of Public Instruction, spoke in support of the bill.

**MOTION:** Sen. Niederhauser moved to adopt the bill as amended as a committee bill. The motion passed unanimously, with Sen. Hillyard, Sen. Morgan, Sen. Stevenson, Rep. Anderson, and Rep. McIff absent for the vote.

#### **6. Draft Bill, "Statewide Adaptive Testing"**

Rep. Gregory H. Hughes described 2012 General Session draft legislation, "Statewide Adaptive Testing" (2012FL-0102/003), which modifies the Utah Performance Assessment System for Students (U-PASS), including requiring school districts and charter schools to administer computer adaptive tests aligned with the common core.

Supt. Shumway described a pilot for computer adaptive testing and changes to U-PASS.

**MOTION:** Sen. Stephenson moved to adopt 2012 General Session draft legislation, "Statewide Adaptive Testing" (2012FL-0102/003) as a committee bill.

**SUBSTITUTE MOTION:** Rep. Newbold moved to pass 2012 General Session draft legislation, "Statewide Adaptive Testing" (2012FL-0102/003) as a committee bill with an amendment to change the amount on lines 24, 213, 215, and 216 from \$5,300,000 to \$6,700,000. The substitution motion passed unanimously, with Sen. Hillyard, Sen. Morgan, Sen. Stevenson, Rep. Anderson, and Rep. McIff absent for the vote.

#### **7. Draft Bill, "Public Education Employment Reform"**

Sen. Osmond made a presentation on legislation he intends to introduce in the 2012 General Session addressing the terms of employment of public school employees. He distributed a copy of his presentation, "Public Education Employment Reform."

Sen. Osmond noted that he is working in partnership with the State Board of Education and will be holding a series of town hall meetings with the state superintendent to obtain comment and understand the impacts of the proposed legislation. Components of the legislation include: 1) repealing state law specifying termination procedures for public school employees and requiring school districts to adopt their own employee management policies; 2) limiting employment contracts to a certain number of years and allowing a school district to not renew a contract without cause; and 3) requiring compensation systems to be established based on performance, years of experience, market value/market demand of a position, and the location and difficulty of a position. Because of the time restraint, Sen. Osmond was only able to outline his presentation and requested 30 minutes at next month's meeting for a more comprehensive description and feedback.

#### **8. Reports**

Chair Wright requested the following committee members to recommend to the chairs whether certain reports should be rescheduled for the November committee meeting:

A. Elimination of Reports Required by Local Education Agencies - Rep. Poulson

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- B. Civic and Character Education - Rep. Christensen
- C. New Century and Regents' Scholarship - Rep. Peterson
- D. Financial Literacy - Sen. Morgan

**9. Other Items/Adjourn**

**MOTION:** Sen. Thatcher moved to adjourn the meeting. The motion passed unanimously with Sen. Hillyard, Sen. Morgan, Sen. Stevenson, Rep. Anderson, Rep. Eliason, Rep. Hughes, Rep. Mathis, and Rep. McIff absent for the vote.

Chair Wright adjourned the meeting at 12:02 p.m.